

RECEIVED

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUN 27 2013
JUN 27, 2013
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

MYRIAM MURPHY)
)
)
)
)
(Name of the plaintiff or plaintiffs))
)
 v.)
)
FT TRAVEL MANAGEMENT,)
)
LLC)
)
)
(Name of the defendant or defendants))

13cv4685

Judge Robert M. Dow, Jr
Magistrate Geraldine Soat Brown

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is MYRIAM MURPHY of the
county of LAKE in the state of ILLINOIS.

3. The defendant is FT TRAVEL MANAGEMENT, LLC, whose
street address is 500 LAKE COOK Rd, 4th FLOOR,

(city) DEERFIELD (county) LAKE (state) ILLINOIS (ZIP) 60015

(Defendant's telephone number) (713) - 590-6259

4. The plaintiff sought employment or was employed by the defendant at (street address)

500 Lake Cook Rd. 4th Floor (city) Deerfield

(county) Lake (state) IL (ZIP code) 60015

FILED
7/22/2013

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) APRIL, (day) 30, (year) 2012.

7.1 (Choose paragraph 7.1 or 7.2, do not complete both.)

- (a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*] ☐ *has not* filed a charge or charges against the defendant ☒ *has*

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission, on or about (month) August (day) 22 (year) 2012.
- (ii) ☐ the Illinois Department of Human Rights, on or about (month) _____ (day) _____ (year) _____.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is

attached. ☒ YES. ☐ NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month) _____ (day) _____ (year) _____

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) _____
(day) _____ (year) _____.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ YES ☐ NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ YES ☐ NO, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☐ the United States Equal Employment Opportunity Commission has not issued
a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a
Notice of Right to Sue, which was received by the plaintiff on
(month) APRIL (day) 8th (year) 2013 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only
those that apply**]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☒ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

Plaintiff was discriminated against by her former employer, Defendant Frosch Travel, because of her national origin, color, and race. Without any legitimate basis, Plaintiff was criticized and harassed for her purported mistaken techniques and methods of servicing her accounts, and was officially terminated

July 18 2012. Mistakes allegedly made by Plaintiff have never been used as a basis to terminate other employees, particularly of Caucasian descent, as one senior account manager claimed. Please refer to the attached EEOC Complaint for further details. ¹⁴ [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
[check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
(b) ☐ Direct the defendant to re-employ the plaintiff.
(c) ☐ Direct the defendant to promote the plaintiff.
(d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
(e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
(f) ☐ Direct the defendant to (specify): _____

- _____
- _____
- _____
- _____
- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Miriam Murphy

(Plaintiff's name)

MIRIAM MURPHY

(Plaintiff's street address)

4209 HARPER AVE

(City) GURNEE (State) IL (ZIP) 60031

(Plaintiff's telephone number) (224) - 944-8352

Date: June 27, 2013

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Myriam Murphy
c/o William P. Petsche, Esq.
Roth Melei
Attorneys at Law
454 W. Virginia St.
Crystal Lake, IL 60014

From: Chicago District Office
500 West Madison St
Suite 2000
Chicago, IL 60661



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

440-2012-05079

Sherice Galloway,
Investigator

(312) 869-8132

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

John P. Rowe

John P. Rowe,
District Director

4-8-2013

(Date Mailed)

Enclosures(s)

cc:

FT TRAVEL MANAGEMENT, LLC
c/o Shavaun A. Taylor, Esq
Ogletree, Deakins, Nash, Smoak, & Stewart, P.C.
155 N. Wacker Dr., Ste 4300
Chicago, IL 60606

ITEM 13

CON'T →

EEOC Form 5 (501)

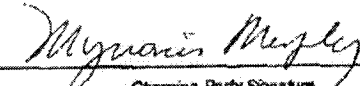
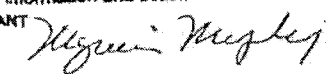

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ <input checked="" type="checkbox"/> IDHR <input checked="" type="checkbox"/> EEOC 440-2012-05079	
Illinois Department Of Human Rights and EEOC State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs.) Ms. Myriam Murphy		Home Phone (incl. Area Code) 847-769-3688	Date of Birth 3/14/1980
Street Address 4209 Harper Ave		City, State and ZIP Code Gurnee, IL 60031	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Frosch Travel Janet Farnette		No. Employees, Members 700	Phone No. (Include Area Code) 713-590-8259
Street Address 500 Lake Cook Road, 4th Floor One Greenway Plaza Suite 800		City, State and ZIP Code Deerfield, Illinois 60015 Houston, Texas 77046	
Name _____		No. Employees, Members _____	Phone No. (Include Area Code) _____
Street Address _____		City, State and ZIP Code AUG 22 2012	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest April 30, 2012 July 18, 2012 <input checked="" type="checkbox"/> CONTINUING ACTION	
Termination made with bias and not consistent with all employees			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). <p>Myriam Murphy was discriminated against by her former employer, Frosch Travel, because of Ms. Murphy's national origin, color, and race. Without any legitimate basis, Ms. Murphy was criticized and harassed for her purported mistaken techniques and methods of servicing her accounts, and was officially terminated on July 18, 2012. At the time Ms. Murphy was terminated, Ms. Murphy was informed by one of her managers, JoAnne Esplin, that it was "ridiculous and strange" that Frosch would terminate Ms. Murphy. Ms. Esplin explained to Ms. Murphy that Ms. Esplin had attempted to terminate employees in the past for making numerous mistakes and was informed by the owner of Frosch that termination was only an option when it was absolutely necessary. Ms. Esplin further explained that terminating an employee for making a mistake was just "not the way that they did things at Frosch."</p> <p>Frosch Travel is a travel management agency and is in the business of selling and marketing travel solutions to customers. Ms. Murphy was hired by Frosch to manage travel accounts and the applicable booking requirements. While at Frosch, Ms. Murphy met or exceeded the performance of her co-workers and made few if any mistakes. During Ms. Murphy's employment at Frosch, several employees made mistakes that cost the company large amounts of money and time. These employees would receive little or no correction and none of them were terminated. While employed at Frosch, Ms. Murphy performed her duties and job in a satisfactory matter and with the utmost professionalism. Ms. Murphy received zero warnings during her employment, and until two new managers started at Frosch, Ms. Murphy received nothing but praise and encouragement.</p> <p>However, on or about April 30, 2012, Frosch placed two new managers in supervision roles, Tina Conner and Nicole Morris. Despite Ms. Murphy's excellent work ethic and work product, these two new managers began to treat Ms. Murphy in a rude, unprofessional, condescending, and attacking manner and treated Ms. Murphy much differently than they treated the rest of the employees although her job performance and techniques had</p>			

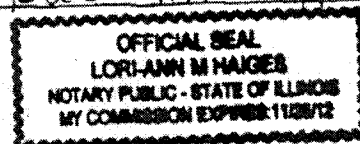
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not been previously criticized. Ms. Murphy had not been previously disciplined. Ms. Murphy was unaware of the reasons for this disparate treatment, but the two new managers began criticizing Ms. Murphy's methods and techniques in servicing her accounts. The two new managers also criticized and berated Ms. Murphy for mistakes made by other employees on the other employee's accounts, despite the fact that Ms. Murphy did not perform any work on the other employee's accounts and was therefore not responsible for the mistakes made on the other employee's accounts. Ms. Murphy is from Ecuador and the criticism was made of Ms. Murphy because of her Ecuadorian race and her light-brown skin color not because of poor performance, lack of production, or any disciplinary concerns.

Despite the fact that Ms. Murphy was meeting production expectations, had increased account revenue every year, was growing her accounts, and had never previously been disciplined or had any other problems at Frosch, on July 18, 2012, Ms. Murphy was informed by Janet Fernette in the Human Resources Department that Ms. Murphy was being terminated. Prior to her termination, Ms. Murphy received zero warnings or instruction. Upon Ms. Murphy's termination, Ms. Murphy was not afforded the same opportunities that other employees had previously had when there was a conflict between management and employees. Ms. Murphy was again treated differently and in a disparate manner than the rest of the Frosch employee's.

Ultimately, Ms. Murphy was officially terminated on July 18, 2012.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct. <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <u>8/22/12</u> Date </div> <div style="text-align: center;">  Charging Party Signature </div> </div>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) <u>08-22-12</u> 





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

FILE REVIEWS FAX: (312) 869-8220
MEDIATION: (312) 869-8060
HEARINGS FAX: (312) 869-8125

500 West Madison Street, Suite 2000
Chicago, IL 60661
PH: (312) 869-8000
TTY: (312) 869-8001
ENFORCEMENT FAX: (312) 869-8220
STATE & LOCAL FAX: (312) 869-8077
LEGAL FAX: (312) 869-8124

NOTICE OF DISCLOSURE RIGHTS

Parties to an EEOC charge are entitled to review and obtain copies of documents contained in their investigative file. Requests must be made in writing to Sylvia Bustos and either mailed to the address above, faxed to (312) 869-8220 or sent via email to sylvia.bustos@eeoc.gov (please chose only one method, no duplicate requests).

If you are the Charging Party and a RIGHT TO SUE has been issued, you may be granted access to your file:

- * **Before filing a lawsuit, but within 90 days of your receipt of the Right to Sue, or**
- * **After your lawsuit has been filed. If more than 90 days have elapsed since your receipt of the Right to Sue, include with your request a copy of the entire court complaint (with court stamped docket number) or enough pages to determine whether it was filed based on the EEOC charge.**

If you are the **Respondent** you may be granted access to the file **only after** a lawsuit has been filed. Include with your request a copy of the court complaint that includes an official court stamped docket number.

Pursuant to federal statutes, certain documents, such as those which reflect the agency's deliberative process, will not be disclosed to either party.

You must sign an Agreement of Nondisclosure **before** you are granted access to the file, which will be sent to you after receipt of your written request. (Statutes enforced by the EEOC prohibit the agency from making investigative information public.)

The process for access to the file will begin no later than ten (10) days following receipt of your request.

When the file becomes available for review, you will be contacted. You may review the file in our offices and/or request that a copy of the file be sent to you. Files may not be removed from the office.

Your file will be copied by Aloha Document Services, 60 East Van Buren, Suite 1502, Chicago, IL 60605, (312) 542-1300. You are responsible for the copying costs and must sign an agreement to pay these costs before the file will be sent to the copy service. Therefore, **it is recommended that you first review your file** to determine what documents, if any, you want copied. EEOC will not review your file or provide a count of the pages contained in it. If you choose not to review your file, it will be sent **in its entirety** to the copy service, **and you will be responsible for the cost.** Payment must be made directly to Aloha Document Services, which charges 15 cents per page.

(Revised 09/5/12, previous copies obsolete)

FILING SUIT IN COURT OF COMPETENT JURISDICTION

PRIVATE SUIT RIGHTS:

This issuance of this Notice of Right to Sue ends EEOC's process with respect to your charge. You may file a lawsuit against the respondent named in your charge within 90 days from the date you receive this Notice. Therefore you should **keep a record of this date**. Once this 90-day period is over, your right to sue is lost. If you intend to consult an attorney, you should do so as soon as possible. Furthermore, in order to avoid any question that you did not act in a timely manner, if you intend to sue on your own behalf, your suit should be filed **well in advance of the expiration of the 90-day period**.

You may file your lawsuit in a court of competent jurisdiction. Filing this Notice is not sufficient. A court complaint must contain a short statement of the facts of your case which shows that you are entitled to relief. Generally, suits are brought in the state where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office.

You may contact EEOC if you have any questions about your rights, including advice on which court can hear your case, or if you need to inspect and copy information contained in the case file.

A lawsuit against a **private** employer is generally filed in the U.S. District Court.

A lawsuit under Title VII of the Civil Rights Act of 1964, as amended, against a **State agency or a political subdivision of the State** is also generally filed in the U.S. District Court.

However, a lawsuit under the Age Discrimination in Employment Act or the Americans with Disabilities Act or, probably, the Equal Pay Act against a **State instrumentality** (an agency directly funded and controlled by the State) **can only be filed in a State court**.

A lawsuit under the Age Discrimination in Employment Act or the Americans with Disabilities Act or the Equal Pay Act against a **political subdivision of the State**, such as municipalities and counties, may be filed in the U.S. District Court.

For a list of U.S. District Courts, please see reverse side.

IF THE FIRST THREE CHARACTERS OF YOUR EEOC CHARGE NUMBER ARE "21B" AND YOUR CHARGE WAS INVESTIGATED BY THE ILLINOIS DEPARTMENT OF HUMAN RIGHTS (IDHR), REQUESTS FOR REVIEWING AND COPYING DOCUMENTS FROM YOUR FILE MUST BE DIRECTED TO IDHR.

ATTORNEY REPRESENTATION:

If you cannot afford or have been unable to obtain a lawyer to represent you, the court having jurisdiction in your case may, at its discretion, assist you in obtaining a lawyer. If you plan to ask the court to help you obtain a lawyer, you must make this request of the court in the form and manner it requires. Your request to the court should be made well before the end of the 90-day period mentioned above. A request for representation does not relieve you of the obligation to file a lawsuit within this 90-day period.

DESTRUCTION OF FILE:

If you file suit, you or your attorney should forward a copy of your court complaint to this office. Your file will then be preserved. Unless you have notified us that you have filed suit, your charge file could be destroyed as early as six months after the date of the Notice of Right to Sue.

IF YOU FILE SUIT, YOU OR YOUR ATTORNEY SHOULD NOTIFY THIS OFFICE IN WRITING WHEN THE LAWSUIT IS RESOLVED.

INFORMATION ON WHERE TO FILE SUIT

You have been notified of your right to file suit in Federal District Court. Suit is ordinarily filed in the District Court having jurisdiction of the county in which the employer, against whom you filed a charge of employment discrimination, is located. The telephone number listed for each District is that of the Clerk of the Court.

U.S. District Court
Northern District of Illinois
Eastern Division at Chicago
219 South Dearborn Street
Chicago, Illinois 60604
312/435-5670

Counties

Cook	Kendall
DuPage	Lake
Grundy	LaSalle
Kane	Will

U.S. District Court
Northern District of Illinois
Western Division at Rockford
211 South Court Street
Federal Building
Rockford, Illinois 61101
815/987-4355

Counties

Boone	McHenry
Carroll	Ogle
DeKalb	Stephenson
JoDaviess	Whiteside
Lee	Winnebago

U.S. District Court
Southern District of Illinois
750 Missouri Avenue
East St. Louis, Illinois 62201
618/482-9370

and

301 West Main Street
Benton, Illinois 62812
618/438-0671

Counties

Alexander	Johnson
Bond	Lawrence
Calhoun	Madison
Clark	Marion
Clay	Massac
Clinton	Monroe
Crawford	Perry
Cumberland	Pope
Edwards	Pulaski
Effingham	Randolph
Payette	Richland
Franklin	St. Clair
Gallatin	Saline
Hamilton	Union
Hardin	Wabash
Jackson	Washington
Jasper	Wayne
Jefferson	White
Jersey	Williamson

U.S. District Court
Central District of Illinois
Urbana Division
201 South Vine
218 U.S. Courthouse
Urbana, Illinois 61801
217/373-5830

Counties

Champaign	Kankakee
Coles	Macon
Douglas	Moultrie
Eggar	Piatt
Ford	Vermilion
Inoquois	

Peoria Division

100 N.E. Monroe Street
135 Federal Building
Peoria, Illinois 61602
309/671-7117

Counties

Bureau	McLean
Fulton	Peoria
Hancock	Putnam
Knox	Stark
Livingston	Tazewell
Marshall	Woodford
McDonough	

Rock Island Division

211 - 19th Street
Rock Island, Illinois 61201
309/793-5778

Counties

Henderson	Rock Island
Henry	Warren
Mercer	

Springfield Division

600 East Monroe Street
Springfield, Illinois 62701
217/492-4020

Counties

Adams	Logan	Pike
Brown	Macoupin	Sangamon
Cass	Mason	Schuyler
Christian	Menard	Scott
DeWitt	Montgomery	Shelby
Greene	Morgan	



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

500 West Madison Street, Suite 2000
Chicago, IL 60661
EEOC National Toll Free: (800) 669-4000
EEOC National TTY: (800) 669-6820
Chicago Direct Dial: (312) 869-8000
Chicago TTY: (312) 869-8001
Mediation Fax: (312) 869-8060

October 4, 2012

Mr. Shavon Taylor, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
155 North Wacker Drive, Suite 4300
Chicago, IL 60606

Re: Murphy v. Frosch International Travel
EEOC #: 440-2012-05079

Dear Mr. Taylor:

Please be advised that because Respondent objected to mediation or failed to respond to EEOC's inquiry concerning mediation in the above-referenced Charge of Discrimination, the charge will now be forwarded to an enforcement unit for investigation. If Respondent has already submitted its response to the Charge and its evidentiary support, Respondent need not take any further action until after it is contacted by the EEOC investigator.

If Respondent has not submitted a position statement, then Respondent is required to submit its response to the Charge and its evidentiary support within forty (40) days of the date the Charge was received by the EEOC. The deadline for Respondent to reply to the Charge is stated in the "Notice of Charge of Discrimination" (Form 131) which accompanied the Charge of Discrimination. If the due date in the "Notice of Charge of Discrimination" has passed, Respondent's response to the Charge and evidentiary support are past due. In that case, Respondent must submit its response to the EEOC representative identified at the bottom of the "Notice of Charge of Discrimination" immediately.

If you have any questions, please contact the Commission representative named on the "Notice of Charge of Discrimination."

Sincerely,

John P. Rowe
John P. Rowe
District Director

cc William Petsche, Esq.
Law Office of RothMelei
454 West Virginia Street
Crystal Lake, IL 60014